

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

CHARLES ISELEY,
Plaintiff,
v.

W. CONWAY BUSHEY, et al.,
Defendants.

Civil Action No.
1:00-CV-00577

FILED
HARRISBURG

DEC 20 2000

MARY E. D'ANDREA, CL
Per. 9/8
DEPUTY CLERK

REPLY BRIEF TO DEFENDANTS' BRIEF IN
RESPONSE TO PLAINTIFF'S MOTION TO
CEASE RETALIATION

A. Defendants Deliberately Refused to Identify Defendants Moe and Doe.

The defendants continue to claim that after a reasonable investigation they are unable to identify defendants Moe and Doe. Perusal of the complaint clearly reveals that a reasonable investigation would start at plaintiff's parole records to identify who reviewed him for parole at the relevant period.

The defendants do not offer any evidence whatsoever that they made any investigation.

The fact that plaintiff filed discovery to ascertain the identities does not change the fact that the defendants lied about not knowing the identities and about making a reasonable investigation and that they violated the rules of civil procedure to withhold the identities in order to sabotage plaintiff's case.

B. Plaintiff Was Held at Greentown in Retaliation

The defendants blithely omit that they lied several times in their pleadings, stating that plaintiff would be returned when his court date was over when they knew that it was over ~~two~~ days after the transfer. Plaintiff was not returned until after he brought same to the attention of the court.

C. Property

As noted in the attached Declaration, the defendants are utilizing their agents to steal plaintiff's legal material and cover it up.

Date: December 17, 2000.

Respectfully submitted,

Charles Isely
Charles Isely
Apt-9320, 1 Kellogg Dr.
Coal Twp, PA 17866

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

CHARLES ISELEY,
Plaintiff,
v.
W. CONWAY BUSHEY, et al.,
Defendants

Civil Action No.
1:00-CV-00577

DECLARATION

I hereby declare under penalty of perjury that the following is true and correct to the best of my knowledge and information:

1. I filed a grievance regarding the "disappearance" of my legal property which I had at Graterford prison and which I had left at Coal prison.

2. I filed a grievance at Coal prison and a grievance to Graterford prison.

3. The grievance at Coal prison specifically stated that prison guard Green saw my box of legal material the prior day and claimed he had nothing to do with its disappearance. He even showed me the empty box with my papers on it with my name and number.

4. The response to the grievance states that a prison guard Gray "recalls" packing my cell and saw no legal material. This prison guard was not even on during the shift I was transferred on (6:00 am to 2:00 pm). Moreover, if he inventoried my property in my cell - how come there is no inventory or confiscation receipt forms pursuant to DOC policy? The reason is because they just stole my legal work.

5. Moreover, the grievance response claims that I returned with no legal material. However, the response to the grievance I filed at Graterford, specifically states that I had legal material in the box ~~that~~ that was sent with me and they included a copy of the inventory sheet receipt to corroborate it.

6. That box came here with me and my legal property was taken out of it here and they are covering it up.

7. As a result of their actions against me all the legal research for my legal action concerning denial of medical care for hepatitis C is gone.

8. Many defendants in ~~this~~ case are defendants in this case ~~and~~ prison officials at Coal prison.

9. My parents paid \$1500.00 to a legal research firm for that reason and it is gone. As a result, I have been denied it and no one is going to reimburse me for it. The grievance system is designed to maximize the oppression of prisoners such as myself.

10. Every day which prolongs my getting adequate medical care shortens my life span and causes me extreme pain and suffering. My symptoms include vomiting, nausea, extreme chronic fatigue, migraines, weakness, muscle aches, increased arthritic pain, lack of concentration, etc.

11. In essence, I am slowly being murdered by the defendants and their agents and they continue to retaliate against me and I can do nothing save for life prison grievances which are either ignored or used to cover up actions against me such as my being beyond my maximum sentence but they refuse to acknowledge my sentence orders to keep me in prison.

Date: December 17, 2000

Charles Isely
Charles Isely

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CHARLES ISELEY,
Plaintiff,

v.

W. Conway Bushley, et al.,
Defendants,

Civil Action No.

1:00-CV-00577

CERTIFICATE OF SERVICE

I hereby certify that I caused to be served the foregoing
Reply Brief to Def's Brief in response to Plaintiff's Motion to Cense
Retaliation and Declaration by mailing copies of same to:

Maryanne Lewis, dep. atty. gen.
Office of Atty. Gen., Strawberry Sq.
Harrisburg, PA 17120

Date: December 17, 2000

Charles Iseley
Charles Iseley